

Practice of self abuse of any kind should not even be considered. Avoid all alcoholic drinks while taking Vigorex." (Similar statements appeared in the circular in Spanish.)

On February 20, 1932, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture*.

19390. Adulteration and misbranding of iron colloidal with arsenic ampuls. U. S. v. William A. Fitch (Inc.). Plea of guilty. Fine, \$100. (F. & D. No. 27459. I. S. No. 15342.)

Examination of iron colloidal with arsenic ampuls involved in this action showed that the article contained much more arsenic than declared on the label.

On January 19, 1932, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid an information against William A. Fitch (Inc.), a corporation, New York, N. Y., alleging shipment by said company in violation of the food and drugs act on or about October 18, 1930, from the State of New York into the State of New Jersey, of a quantity of iron colloidal with arsenic ampuls that were adulterated and misbranded. The article was labeled in part: "Iron Colloidal with Arsenic Fitch Each 5 cc. represents * * * Arsenic (As) 10 Mgms. William A. Fitch Inc."

It was alleged in the information that the article was adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, in that each 5 cubic centimeters of the article was represented to contain 10 milligrams of arsenic, whereas each 5 cubic centimeters of the article contained more than 10 milligrams of arsenic, namely, not less than 27.6 milligrams of arsenic.

Misbranding was alleged for the reason that the statement "Each 5 cc. represents * * * Arsenic (As) 10 Mgms.," borne on the carton and ampul containing the article, was false and misleading in that the said statement represented that each 5 cubic centimeters of the article represented 10 milligrams of arsenic, whereas each 5 cubic centimeters of the article represented more than 10 milligrams of arsenic.

On January 25, 1932, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

ARTHUR M. HYDE, *Secretary of Agriculture*.

19391. Misbranding of Planters Cuban oil. U. S. v. 6 Dozen Bottles of Planters Cuban Oil. Default decree of destruction. (F. & D. No. 26841. I. S. No. 36612. S. No. 5010.)

Examination of a drug product, known as Planters Cuban oil, from the shipment herein described showed that the bottle and carton labels and an accompanying circular contained statements representing that the article possessed curative and therapeutic properties which, in fact, it did not possess. The name of the article indicated that it was a product of Cuba, whereas it was not.

On August 7, 1931, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of six dozen bottles of Planters Cuban oil, remaining in the original unbroken packages at Meridian, Miss., alleging that the article had been shipped by the Planter Medicine Co., from Baltimore, Md., on or about May 6, 1931, and had been transported from the State of Maryland into the State of Mississippi, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of kerosene, chloroform, and volatile oils including methyl salicylate, camphor, sassafras oil, and citronella oil, colored red.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, appearing in the labeling, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed; (Bottle) "Quickly Penetrating * * * Apply freely wherever the pain exists * * * For * * * Sores, etc.;" (carton) "An Excellent Liniment for the

Nerve and Bone An External Remedy in all cases where a quick and penetrating relief is needed for Rheumatism, Neuralgia, * * * Sore Throat, * * * or Pains in any part of the body or limbs, * * * For the Relief of Lameness, * * * Ringbone, Spavin, * * * Cracked Heels, Distemper, Sweeney, Splint, &c.;" (circular) "Is an external liniment, penetrating and healing. * * * It is a scientific combination of the greatest healing principles of nature. * * * builds up the broken and bruised tissues in a quick and efficient manner. * * * penetrates directly to the nerve and bone. * * * may be applied to the tenderest wound or sore and will not cause pain. * * * is exceptionally fine for * * * sores, * * * snagged or torn flesh, swelling, * * * inflammations, etc., * * * is a fine liniment for rheumatism, sore throat, weak backs, stiff joints, etc. * * * heals quickly without leaving a scar, * * * for the treatment of lameness, * * * ringbone, spavin, cracked heels, distemper, sweeny, splint, * * * stiff joints, sores and wounds of all kinds." Misbranding was alleged for the further reason that the term "Cuban" in the name of the article was false and misleading.

On September 30, 1931, no claimant having appeared for the property, and the court having found that the allegations of the libel were true and correct, judgment was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19392. Adulteration and misbranding of phenolphthalein wafers, choleate compound tablets, triple bromide tablets, neuralgia gripe tablets, quinine sulphate tablets, acid acetylsalicylic capsules, gastric ulcer (Sippy) tablets, and elixir rheumatico. U. S. v. The Vale Chemical Co. Plea of guilty. Fine, \$500. (F. & D. No. 26695. I. S. Nos. 5128, 27835, 28064, 29105, 29116, 29117, 29701, 29702, 29704, 29705.)

This action was based on the shipment of various drug preparations. In each instance analysis showed that the article contained one or more of the declared drugs in amount varying materially from the amount stated on the label, some drugs being present in less amount and some in greater. The labels of the neuralgia gripe tablets, the gastric ulcer (Sippy) tablets, and the elixir rheumatico also bore unwarranted curative and therapeutic claims.

On March 21, 1932, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Vale Chemical Co., a corporation, Allentown, Pa., alleging shipment by said company from the State of Pennsylvania into the State of New Jersey, between the dates of May 3, 1930 and March 24, 1931, of quantities of pharmaceutical preparations that were adulterated and misbranded.

The articles were labeled in part: "Wafers Phenolphthalein 1 Grain;" "Tablets Choleate Comp. * * * Sodium Salicylate 1½ grs.;" "Tablets Triple Bromides * * * Potass. Bromide 5 grs. Ammo. Bromide 5 grs. Soda Bromide 5 grs.;" "Neuralgia Gripe Stron. Salicylate 2½ grs. Acetanilide 2½ grs.;" "Acetanilide and Sod'm Comp. * * * Acetanilide 3½ grs., * * * Sodium Bromide 1/10 gr.;" "Quinine Sulphate * * * 2 grs.;" "Capsules Acid Acetyl Salicylic 5 grains;" "Gastric Ulcer * * * Magnesium Calcined 5 gr., Soda Bicarb. 5 gr.;" "Elixir Rheumatico * * * Each ounce contains Sodium Salicylate 38 Grs. * * * Indicated: In Rheumatism, Sciatica, LaGrippe * * * The Vale Chemical Co. Inc., Allentown, Pa."

It was alleged in the information that the articles were adulterated in that their strength and purity fell below the professed standard and quality under which they were sold, as follows: Each phenolphthalein wafer was represented to contain 1 grain of phenolphthalein, whereas they each contained more, namely, not less than 1.088 grain of phenolphthalein. Each choleat compound tablet was represented to contain 1½ grains of sodium salicylate, whereas each contained less, namely, not more than 1.336 grains of sodium salicylate. Each triple bromide tablet was represented to contain 5 grains of potassium bromide, 5 grains of ammonium bromide, and 5 grains of sodium bromide, whereas each contained more of the said bromides, namely, not less than 5.854 grains of ammonium bromide, and not less than 11.13 grains of sodium bromide and potassium bromide combined. Each of the neuralgia gripe tablets was represented to contain 2½ grains of strontium salicylate and 2½ grains of acetanilid whereas the said tablets each contained less of the said drugs, the two consignments containing not more than 2.196 and 2.106 grains, respec-